

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Elisa Vitale, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** September 3, 2016

**SUBJECT:** BZA Case 19329 - expedited request pursuant to 11 DCMR Y § 401 for special exception relief under D § 5201 to construct an addition to an existing single household dwelling at 4303 47<sup>th</sup> Street NW.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **Approval** of the following special exception relief pursuant to Y § 5201:

- Rear yard, D § 306.1 (25 feet required; 27.2 feet existing; and 3.2 feet proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	4303 47 <sup>th</sup> Street NW
Applicant	David McDowell (Agent) on behalf of Peter Bedini (Owner)
Legal Description	Square 1553, Lot 0043
Ward / ANC	3 / 3E
Zone	R-1-B – detached single household dwellings.
Historic District or Resource	Not applicable.
Lot Characteristics	Rectangular lot measuring 44 feet in width and 91.15 feet in length. Fronting on Windom Place NW, bordered to the west by 47 <sup>th</sup> Street NW, to the south by a 16-foot improved public alley, and to the east by an adjoining lot.
Existing Development	The property is improved with a two-story single household dwelling and detached garage.
Adjacent Properties	The adjacent property to the east is a single household dwelling.
Surrounding Neighborhood Character	The surrounding neighborhood is primarily single household residential dwellings in the R-1-B zone. There is commercial located to the south and west along Massachusetts Avenue NW.
Proposed Development	The applicant is proposing to construct a two-story addition to the principal dwelling, with a mudroom connection from the principal dwelling to an expanded two-car garage.

### III. ZONING REQUIREMENTS AND RELIEF REQUESTED

R-1-B Zone	Regulation	Existing	Proposed <sup>1</sup>	Relief
Height (ft.) D § 303	40 ft. max.	21.75 ft.	36.5 ft.	None required
Lot Width (ft.) D § 302	50 ft. min.	44 ft.	44 ft.	Existing nonconforming
Lot Area (sq. ft.) D § 302	5,000 sq. ft. min.	4,011 sq. ft.	4,011 sq. ft.	Existing nonconforming
Lot Occupancy D § 304	40% max.	33.2%	37.8%	None required
Rear Yard (ft.) D § 306	25 ft. min.	27.2 ft.	3.2 ft.	<b>21.8 ft.</b>
Side Yard (ft.) D § 307	8 ft. min.	16 ft.	8 ft.	None required

### IV. OP ANALYSIS

5201 ZONING RELIEF FOR ADDITIONS TO A BUILDING WITH ONLY (1) PRINCIPAL DWELLING UNIT AND FOR A NEW OR ENLARGED ACCESSORY STRUCTURE THAT IS ACCESSORY TO SUCH A BUILDING

*5201.1 An addition to a single household dwelling or a new or enlarged accessory structure on the same lot as a single household dwelling, not meeting the lot occupancy, yards, courts, minimum lot dimensions, or pervious surface requirements shall be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9, subject to the provisions of this section.*

Single household dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under D § 5201 from the requirements of D § 306, Rear Yard.

*5201.3 The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

*(a) The light and air available to neighboring properties shall not be unduly affected;*

Light and air should not be unduly affected. The proposed addition and expansion of the garage would not encroach on the required side yard at the eastern property line and would not exceed the maximum permitted height in the zone.

*(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

Two existing trees at the eastern property line would provide screening between the subject property and the adjoining property at 4640 Windom Place NW. An existing 6-foot high privacy fence at the eastern property line provides further screening. Therefore, the privacy of use and enjoyment of neighboring properties should not be unduly compromised.

*(c) The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude*

<sup>1</sup> Information provided by applicant. See Exhibit 16.

*upon the character, scale and pattern of houses along the subject street frontage;  
and*

The proposed addition that would connect the principal dwelling to the garage would be minimally visible from 47<sup>th</sup> Street NW. Existing vegetation, including a 10-foot high hedge and 60-foot tree, would screen the view from the street. The expanded garage would be visible from the alley but would not be out of character with other nearby homes in Square 1553 that feature garages at the alley.

*(d) In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The applicant has provided plans, photos and elevations that demonstrate the extent of the proposed addition and garage expansion.

*(e) The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 zones or seventy percent (70%) in the R-3, R-13, and R-16 zones.*

The proposed lot occupancy would be 37.8% and would not exceed the 50% limit in the R-1-B zone.

*5201.4 The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

OP does not recommend any special treatment or conditions.

*5201.5 This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The proposal would not permit the introduction of expansion of a nonconforming use. The subject property would continue to be used as a single household dwelling.

*5201.6 This section may not be used to permit the introduction or expansion of nonconforming height or number of stories as a special exception.*

The proposal would not result in the introduction of nonconforming height or number of stories. The maximum proposed height is 36.5 feet, which does not exceed the 40-foot limit.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

Comments from other District Agencies had not been received at the time this report was written.

## **VI. COMMUNITY COMMENTS**

Comments from ANC 3E had not been received at the time this report was written.